

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

David Allen Fitzpatrick,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.:9:09-3348-TLW-BM
)	
)	
York County Detention Center,)	
)	
Defendant.)	
_____)	

ORDER

Plaintiff, David Allen Fitzpatrick, (“plaintiff”), brought this civil action, *pro se*, pursuant to 42 U.S.C. § 1983 on December 29, 2009. (Doc. #1).

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Bristow Marchant, to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends that the Court dismiss the complaint without prejudice and without issuance and service of process. (Doc. # 7). The plaintiff filed no objections to the report. Objections were due on February 16, 2010.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 7).

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

March 11, 2010
Florence, South Carolina